

AMENDMENTS TO THE DRAWINGS

The attached sheet of drawings includes changes to Fig. 1. This sheet replaces the original sheet including this same Figure.

Fig. 1 has been amended to add a label that “pockets 2a are of a plurality of sizes” as set forth in original claim 10.

Attachment: Replacement sheet

REMARKS

In view of the above amendment, Applicant believes the pending application is in condition for allowance. Claims 1-19 and 21-23 are now present in this application. Claims 1, 7, and 21 are independent. By this amendment, claims 1, 4, 7, 9, 13, 21, and 22 have been amended. Reconsideration of this application, as amended, is respectfully requested.

Objection to the Drawings

The Examiner has objected to the drawings because the plurality of sizes of pockets set forth in claim 10 has not been shown in the drawings.

In order to overcome this objection, Applicant is concurrently submitting a Replacement Drawing Sheet for the Examiner's approval, which addresses the deficiency pointed out by the Examiner. Accordingly, reconsideration and withdrawal of this objection are respectfully requested.

Examiner Interview

Applicant wishes to thank the Examiner for the courtesies extended to Applicant's representative during the telephone interview conducted on July 15, 2008. During the interview, Applicant's representative discussed amending independent claims 1 and 7 to recite subject matter set forth in dependent claim 9.

In addition, Applicant's representative commented that it would not be obvious to modify Schwein with the teachings of Love because Schwein is already capable of accommodating different sized spools. In particular, because frame 49 pivots at the connector assembly 51, the bale connector assembly 68 can be easily positioned at different heights.

Furthermore, as shown in Fig. 2, the bale connector assemblies 68 are designed to swing into engagement with a bale, whereas the rack of Love is constrained to move in a vertical direction.

The Examiner agreed that amending the independent claims as described above appear to define over the cited combination, but would require further consideration. The claims have been amended in the manner discussed during the interview, and are believed to place the application into

condition for allowance. Accordingly, reconsideration and allowance of the present application are respectfully requested.

Claim Objections

The Examiner has objected to claims 1, 21, and 22 because of several informalities. In order to overcome this objection, Applicant has amended claims 1, 21, and 22 in order to correct the deficiencies pointed out by the Examiner. Reconsideration and withdrawal of this objection are respectfully requested.

Rejection Under 35 U.S.C. § 112, 2nd Paragraph

Claims 4, 8, and 13 stand rejected under 35 U.S.C. § 112, 2nd Paragraph. This rejection is respectfully traversed.

The Examiner has set forth certain instances wherein the claim language lacks antecedent basis or is not clearly understood.

In order to overcome this rejection, Applicant has amended claims 4, 8, and 13 to correct each of the deficiencies specifically pointed out by the Examiner. Applicant respectfully submits that the claims, as amended, particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Rejections Under 35 U.S.C. §§ 102 and 103

Claims 1, 3, 5, 11, 16, 18, 19, and 21 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Schwein. Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Schwein in view of Forsythe. Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Schwein. Claim 6 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Schwein in view of Rouse. Claims 9, 10, 12, and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Schwein in view of Love.¹ Claims 14, 22, and 23

¹ Applicant believes that the Examiner intended to reference U.S. Patent No. 3,931,902 to Love, Jr. and not U.S. Patent No. 3,031, 902.

stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Schwein in view of DeArment. These rejections are respectfully traversed.

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicant respectfully submits that each of independent claims 1 and 21 has been amended to recite a combination of elements in a loading system including, *inter alia*, "each of said rack members includes a plurality of pockets at various heights along said rack members to accommodate different sized spools, the pockets forming a resting and securing place for ends of spindles upon which spools are positioned." Applicant respectfully submits that this combination of elements as set forth in each of independent claims 1 and 21 is not disclosed or made obvious by the prior art of record, including Schwein and Love, as discussed more fully during the Examiner Interview discussed above. Accordingly, reconsideration and withdrawal of the §§ 102 and 103 rejections are respectfully requested.

With regard to dependent claims 2-6, 9-12, 14-19, 22, and 23, Applicant submits that these claims depend, either directly or indirectly, from independent claim 1 or 21, which are allowable for the reasons set forth above, and therefore these claims are also allowable based on their dependence from claim 1 or 21. Reconsideration and allowance thereof are respectfully requested.

Allowable Subject Matter

The Examiner states that claim 7 would be allowable if rewritten in independent form, and claims 8 and 13 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. § 112, 2nd Paragraph and to include all of the limitations of the base claim and any intervening claims.

Applicant thanks the Examiner for the early indication of allowable subject matter in this application. Dependent claim 7 has been rewritten in independent form; however, the subject matter of dependent claim 5 was excluded because it was not relevant to the claim elements set forth in claim 7.

Claims 8 and 13 have been amended as set forth above in order to overcome the rejection under 35 U.S.C. § 112, 2nd Paragraph. However, claims 8 and 13 have not been rewritten in

independent form at this time, since it is believed that independent claims 7 and 1, from which these claims respectively depend, are allowable.

CONCLUSION

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Chad D. Wells, Registration No. 50,875, at (703) 205-8000, in the Washington, D.C. area.

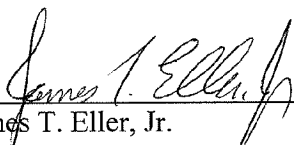
Prompt and favorable consideration of this Amendment is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: July 17, 2008

Respectfully submitted,

CPW

By 
James T. Eller, Jr.

Registration No.: 39,538

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant